

By: Pickett

H.B. No. 3980

A BILL TO BE ENTITLED

AN ACT

relating to requiring a referendum regarding the use of photographic traffic signal enforcement systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 707, Transportation Code, is amended by adding Section 707.020 to read as follows:

Sec. 707.020. REFERENDUM FOR PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEM. (a) Before a local authority may operate a photographic traffic signal enforcement system at a location in the authority's jurisdiction, the local authority must hold a referendum on whether the local authority may operate a photographic traffic signal enforcement system at that location. At the election the ballots shall be printed to permit voting for or against the following proposition: "The operation of a photographic traffic signal enforcement system by (name of local authority)." The ballot must contain a description of each location where a photographic traffic signal enforcement system would be located.

(b) If a majority of the votes cast are in favor of the proposition, the local authority may operate a photographic traffic signal enforcement system at each location described on the ballot. If less than a majority of the votes cast are in favor of the proposition, the local authority may not operate a photographic traffic signal enforcement system at any location described on the ballot.

1 (c) A subsequent referendum under this section:

2 (1) may be held more than once;

3 (2) may authorize operation of the system at
4 additional locations;

5 (3) is held in the same manner as the initial
6 referendum; and

7 (4) may not be held before the second anniversary of an
8 election previously held under this section.

9 SECTION 2. (a) A local authority, as defined by Section
10 707.001, Transportation Code, that operates a photographic traffic
11 signal enforcement system, as defined by Section 707.001,
12 Transportation Code, on the effective date of this Act shall hold
13 the referendum required by Section 707.020, Transportation Code, as
14 added by this Act, on the first uniform election date that occurs
15 after the effective date of this Act on whether the local authority
16 may continue to operate the system.

17 (b) A local authority described by Subsection (a) of this
18 section may not operate a photographic traffic signal enforcement
19 system at a location other than the locations in place on the
20 effective date of this Act unless approved at a referendum held
21 under Section 707.020, Transportation Code, as added by this Act.

22 (c) A local authority that fails to authorize a photographic
23 traffic signal enforcement system under a referendum held under
24 Subsection (a) of this section that has entered into a contract for
25 the administration and enforcement of the system before the
26 effective date of this Act may continue to operate the system under
27 the terms of that contract until the expiration date specified in

1 the contract as the contract existed on the effective date of this
2 Act.

3 (d) Subsection (c) of this section does not apply to a
4 contract for the administration and enforcement of a photographic
5 traffic signal enforcement system entered into before the effective
6 date of this Act that explicitly authorizes termination of the
7 contract on the basis of adverse state legislation.

8 (e) On or after the effective date of this Act and before the
9 date of a referendum held under Subsection (a) of this section, a
10 local authority described by Subsection (a) of this section may not
11 enter into a new contract for the administration and enforcement of
12 a photographic traffic signal enforcement system, extend an
13 existing contract for the administration and enforcement of a
14 photographic traffic signal enforcement system, or relocate an
15 existing photographic traffic signal enforcement system.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.